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6 Attorneys for Richard C.G. Larson

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 \* \* \*

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 RICHARD C.G. LARSON,

14 Defendant.  
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2:15-mj-313-GWF

**STIPULATION TO CONTINUE**  
**PRELIMINARY HEARING**

(Second Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United  
17 States Attorney, and Christina M. Brown, Assistant United States Attorney, counsel for the United  
18 States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant  
19 Federal Public Defender, counsel for, RICHARD C.G. LARSON, that the Preliminary Hearing  
20 currently scheduled for July 13, 2015 at the hour of 4:00 p.m., be vacated and set to a date and time  
21 convenient to this court. However, in no event earlier than thirty (30) days.

22 This Stipulation is entered into for the following reasons:

- 23 1. Parties have entered negotiations and need the additional time to resolve this matter.  
24 2. Defendant is incarcerated and does not object to a continuance.

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1           3.       Additionally, denial of this request for continuance could result in a miscarriage of  
2 justice. The additional time requested by this Stipulation is excludable in computing the time within  
3 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States  
4 Code, Section 3161 (h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A), considering  
5 the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6           This is the second request for continuance filed herein.

7           DATED this 10<sup>th</sup> day of July, 2015.

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9           RENE L. VALLADARES  
Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

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11           /s/ Brian Pugh  
12 By \_\_\_\_\_  
Brian Pugh  
Assistant Federal Public Defender

13           /s/ Christina M. Brown  
14 By \_\_\_\_\_  
Christina M. Brown  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
RICHARD C.G. LARSON,  
Defendant.

2:15-mj-313-GWF

**ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Parties have entered negotiations and need the additional time to resolve this matter.
2. Defendant is incarcerated and does not object to a continuance.
3. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

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1 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United  
2 States Code, Section 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, §§ 3161 (h)(7)(A),  
3 when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and  
4 3161(h)(7)(B)(iv).

5 **IT IS THEREFORE ORDERED** that the Preliminary Hearing currently scheduled on  
6 July 13, 2015 at the hour of 4:00 p.m., be vacated and continued to August 14, 2015 at 4:00 p.m.

7 DATED this 13th day of July, 2015.

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11 UNITED STATES MAGISTRATE JUDGE  
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